

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas

FILED

UNITED STATES DISTRICT COURT

OCT 23 2015

for the

Southern District of Texas

Clerk of Court

United States of America

v.

1 DAVID LEE CHURCH, JR. (YOB:1985) USC

2 ESTEVAN RAMON FUENTES (YOB: 1989) USC

Case No.

M-15-1847-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 22, 2015 in the county of Willacy in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. 1324

knowing or in reckless disregard of the fact that aliens had come to, entered, or remains in the United States in violation of law, did transport and move said aliens within the United States, from a location in Edinburg, Texas to another location in Raymondville, Texas by means of a motor vehicle with the intent to further their unlawful presence in the United States.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved by
Robert 2

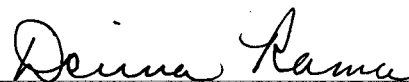
Sworn to before me and signed in my presence.

Date: 10/23/2015City and state: McAllen, Texas

Complainant's signature

Carlos Martinez, U.S. HSI Special Agent

Printed name and title



Judge's signature

U.S. Magistrate Judge Dorina Ramos

Printed name and title

Attachment "A"

On October 22, 2015, U.S. Border Patrol Agents established surveillance at an Edinburg, Texas residence believed to be related to a human smuggling cell operating in the Edinburg, Texas area. Agents observed a green Expedition depart the residence and followed it to a location near Dillon and Canton Roads in Edinburg, Texas. The Expedition departed the area shortly thereafter and it was followed to the intersection of Monte Cristo Road and FM 493, where agents noticed the Expedition was being followed by a Black Honda Fit registered to David Lee Church. Church is known to the surveillance agents from previous encounters involving human smuggling. Both vehicles then turn eastbound on Monte Cristo Road from FM 493 traveling in tandem. Both vehicles continued to travel in tandem until they deviated at the intersection of FM 490 and FM 1425. Expedition continued on FM 490 and the Honda Fit turn northbound on FM 1425 toward FM 186.

The Expedition drove to a location near Raymondville, Texas where a marked Border Patrol unit encountered the Expedition. The Expedition veered off the road and agents observed several subjects attempting to abscond. Agents apprehended fifteen (15) undocumented aliens. The sole absconder was the vehicle's driver.

Simultaneously, Agents were conducting surveillance on the black Honda Fit. The Honda Fit continued northbound on FM 1425 until to turning east on FM 186 traveling toward Raymondville, Texas. Once the black Honda Fit entered into the city, the vehicle parked at the HEB store's parking lot. Agents approached the vehicle while it was stationary and identified the occupants. The occupants were David Lee Church (driver), Estevan Fuentes (rear passenger) and Marisol Sanchez Garcia (passenger).

All subjects of the Expedition and the black Honda Fit were transported to the Weslaco, Texas Border Patrol Station for processing.

HSI Special Agents Carlos Martinez and Irineo Garza were apprised of the situation and responded to the Weslaco Border Patrol Station, where they conducted interviews. In a post Miranda interview, David Lee Church admitted his role in the smuggling scheme and stated he was scouting for law enforcement when the Expedition was stopped. Church admitted to having knowledge that the Expedition was transporting undocumented aliens but was unaware of the number of aliens. Church also admitted to have previously participated in similar events and receiving monetary payment. Church stated "I'm just a scout".

Special Agents also interviewed Estevan Ramos-Fuentes. In a post Miranda interview, Ramos admitted to his role in the smuggling scheme as well. Ramos stated his job is to pick up the Expedition once the undocumented aliens are dropped off, approximately five (5) miles south of a Border Patrol checkpoint. Ramos stated that he normally transports an empty vehicle;

however, he was aware that the vehicle was being utilized to transport undocumented aliens. Ramos admitted to participating on five (5) or six (6) previous successful smuggling attempts for payment of \$600 to \$1000 USD.

Both Mirsa Abigail Aquino-Marroquin (El Salvador national) and Maria Delia Andrade-Bernabe (Mexican national) were occupants of the Expedition and stated to the interviewing agents that they were in the United States illegally and had paid human smugglers to be smuggled into the United States. Both Aquino-Marroquin and Andrade-Bernabe are being held as material witnesses.